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Meeting of the States Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction

2018 Meeting
Geneva, 4-7 December 2018

Meeting of Experts on Cooperation and Assistance, with a Particular Focus on Strengthening Cooperation and Assistance under Article X
Geneva, 7-8 August 2018
Item 6 of the provisional agenda
Identification of challenges and obstacles to developing international cooperation, assistance and exchange in the biological sciences and technology, including equipment and material, for peaceful purposes to their full potential, and possible ways and means of overcoming these

Cooperation and Assistance, with a particular focus on Strengthening Cooperation and Assistance under Article X

Submitted by the Islamic Republic of Iran

1. Protection and promotion of peaceful biological activities constitute one of the objectives and purposes of the BWC. States Parties to the BWC not only have right to participate in the fullest possible exchange of equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes, they also have legal obligation to facilitate such an exchange.

2. Full, effective and non-discriminatory implementation of Article X is essential for the realization of the objectives and purposes of the Convention. Building sufficient capacity for disease surveillance, detection, diagnosis and containment is not possible without international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes. That is raison d'etre that States Parties to the BWC are committed, under Article X, to cooperate in contributing to the development and application of scientific discoveries for prevention of disease or for other peaceful purposes.

3. The current state of implementation of Article X is disappointing for developing States Parties. This situation is the result of a number of unaddressed challenges and obstacles. The lack of an institutional mechanism to facilitate full, effective and non-discriminatory implementation of Article X continues to pose the main challenge to developing international cooperation, assistance and exchange in the biological sciences and technology for peaceful purposes to their full potential.

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4. The other main challenge to developing international cooperation, assistance and exchange in the biological sciences and technology for peaceful purposes is the existence of restrictions and limitations inconsistent with the Convention. While the States Parties to the BWC have undertaken to implement the Convention in a manner not to hamper the economic and technological development of other States Parties, some States continue to apply denial and/or restrictive policies in their approach to the implementation of Article X of the Convention. Such policies not only obstruct the realization of Article X rights but also contravene Article X commitments. In spite of efforts in various fora, there exists so far no mechanism or procedure to address the concern of States Parties that are subject to restrictions or denial policies.

5. The provisions of Articles III and IV of the Convention should not be used to impose restrictions and/or limitations on transfers and exchange of scientific knowledge, technology, equipment and materials for peaceful purposes. International cooperation under Article X of the Convention is imperative as it contributes to capacity building in biosafety and biosecurity and for detecting, reporting and responding to outbreaks of infectious disease or biological weapons attacks, including in the areas of preparedness, response, and crisis management and mitigation.

6. Developed countries have special role and responsibility in strengthening scientific and technological cooperation in the peaceful uses of biological agents and toxins. They need to live up to their responsibility in particular with respect to the provision of financial and technical assistance and facilitating fullest possible exchange and transfer of equipment, materials and scientific and technological information for peaceful purposes. States Parties possessing advanced biotechnology should fully and effectively implement their obligation under Article X of the Convention on an equal and nondiscriminatory basis.

7. The continued existence of the above-mentioned challenges and restrictions to international cooperation, assistance and exchange in biological sciences and technology for peaceful purposes is a matter of deep concern and should be addressed. Denial and restrictive policies and practices in implementation of Article X if remain unaddressed would result in further undermining the integrity of the Convention and jeopardize its object and purpose.

8. To ensure all States Parties have access to equipment, materials and scientific and technological information for the use of biological agents and toxins for peaceful purposes and to the benefits of biotechnology, genetic engineering, microbiology and other related areas for peaceful purposes, international cooperation and assistance under article X of the convention must be strengthened.

9. States Parties should agree on developing institutional mechanism with a view to ensuring multilateral cooperation among all States Parties for peaceful purposes. Pending the establishment of such a mechanism through negotiation in an open-ended working group, States Parties should promote understanding to develop an action plan for implementation of Article X, as proposed by the group of NAM and Other States.

10. States Parties should undertake a review of national regulations governing international exchanges and transfers in order to ensure their consistency with the provisions of article X of the Convention. They should also undertake not to impose or maintain, under any circumstances, restrictions and limitations on trade in such areas as drugs, medicines, vaccines, diagnostics, biological agents, equipment and materials for peaceful purposes in particular for treatment of patients in developing countries.

11. States Parties should undertake to establish a multilaterally negotiated procedure to settle disputes if a State Party is restricted and/or denied by another State Party or a group of States Parties, inconsistent with the Article X of the Convention, to access drugs, medicines, vaccines, diagnostics and related equipment and materials for peaceful purposes.

Such a procedure could include establishment of a standing body, as proposed by the group of NAM and Other States.

12. Scientific and technological cooperation on peaceful uses of biological agents and toxins should include, inter alia, the transfer and exchange of information, training of personnel and transfer of materials and equipment on a systematic and long-term basis. States Parties should promote understanding and effective action on specific measures for the transfer and exchange of information, materials and equipment among States on a systematic and long-term basis, including by:

(a) mobilizing resources, including financial resources;

(b) capacity-building in States Parties in need of assistance in the fields of disease surveillance, detection, diagnosis and combating of infectious diseases and related research;

(c) provision of technical cooperation in the development and production of vaccines and drugs to treat infectious disease in the developing States Parties;

(d) financing the establishment and promotion of vaccine production facilities and projects in the developing States Parties;

(e) facilitating participation of developing countries in the development and application of biotechnology on an equal and non-discriminatory basis;

(f) concluding appropriate agreements that would promote the regular exchange of scientific and technical information in the fields biotechnology, genetic engineering, microbiology and other related areas for peaceful purposes;

(g) agreement on facilitating the flow of information in the field of genetic engineering, biotechnology and other scientific developments through the establishment of a world data bank under the supervision of the United Nations;

(h) promoting collaborative research and development including through exchange of scientists and providing training opportunities in advanced laboratories;

(i) building regional partnerships to enhance disease surveillance and containment initiatives;

(j) defining the role of the United Nations and its specialised agencies in increasing international cooperation and assistance in the use of bio-sciences and genetic engineering for peaceful purposes, including in capacity building in the fields of vaccine and drug production, disease surveillance, detection, diagnosis, and containment of infectious diseases as well as biological risk management;

(k) defining the role of the private sector, as appropriate, in capacity building in the fields of vaccine and drug production, disease surveillance, detection, diagnosis, and containment of infectious diseases as well as biological risk management, while reaffirming that role of private sector would not in any way replace the major role of government in this field.